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October 3, 2003

Honorable Bryant L. Van Brakle
Secretary
Federal Maritime Commission
800 North Capitol Street, N.W.
Washington, D.C. 20573

RE: Petition of National Customs Brokers and Forwarders Association of America, Inc. for a Limited Exemption From Certain Tariff Requirements of the Shipping Act of 1984

Petition No. 05-03

Dear Secretary Van Brakle:

I am Kevin T. Harmon, President, R.S. Express, Inc. I support the limited exemption from certain tariff requirements of the Shipping Act of 1984. I do not find that the rate tariff is used by shippers and that the cost of maintaining the tariff is counterproductive to efficient commerce.

R.S. Express, Inc., NVOCC/OTI License # 3204NF, have two offices in the United States and approximately 50 overseas partners. We rely on our NVOCC service to transact business with these overseas partners. The estimated costs to create and maintain our rate tariff are discussed below.

1. Establishing a tariff website; US\$ 2,500.00
2. The annual cost of subscribing to a tariff publishing service; is said to be US\$ 3,000 minimum per year.
3. The approximate number of hours and costs spent each month in maintaining the tariff website or making changes to tariff; 50+ hours per year, at a labor cost of US\$ 1,500 per year.
4. Persons seeking access to our complete tariff are not charged for the access, so we do not recoup any publishing costs.



5. To our knowledge, no one has requested a copy of, nor accessed via the web, our tariff in 2001 or 2002.

For the purposes of our NVOCC business, approximately 10% of our costs of service relate to tariff filing and compliance.

Generally, rates are initially negotiated with our shippers, then filed, then used on an ongoing basis with that shipper.

Neither we, nor our customers find rate tariffs to be useful because shippers don't access or rely on NVOCC rate tariffs, generally rates are negotiated with shippers, and rate tariffs make spot rate adjustments difficult. We would pass cost savings associated with being exempted from publishing rate tariffs would be passed along to customers in order to remain competitive.

I, Kevin T. Harmon declare under penalty of perjury that the foregoing is true and correct. Further I certify that I am qualified and authorized to file this verified statement.

Executed on October 3, 2003.

Kevin T. Hannon